

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

FERGUSON ENTERPRISES, INC. OF VIRGINIA)
d/b/a FERGUSON ENTERPRISES, INC.,)
Plaintiff,)
)
v.)
)
CLEAR-WATER PLUMBING COMPANY OF)
NORTH CAROLINA, INC., PHILLIP B. SMITH,)
C. CONSTRUCTION CO., INC. and XL SPECIALTY)
INSURANCE COMPANY,)
Defendants.)
)
CASE NO.: 1:06 CV 00288

ENTRY OF DEFAULT

Upon motion and affidavit for entry of default filed by counsel for Plaintiff and because Defendant Clear-Water Plumbing Company of North Carolina, Inc. (“Clear-Water”) has failed to plead, or otherwise defend, default is entered against Defendant Clear-Water as provided by Rule 55(a) of the Federal Rules of Civil Procedure.

This the 5th day of June, 2006.

/s/ John S. Brubaker
Clerk, U.S. District Court